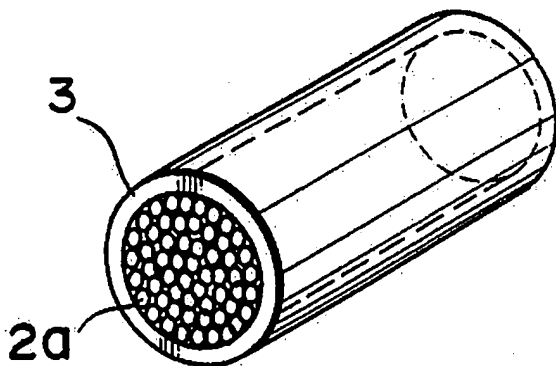


REMARKS

Reconsideration of the above-identified application respectfully is solicited on behalf of the Applicants.

Claim 25 continues to stand rejected under 35 USC § 102(b) as being anticipated by Mayama *et al.*, U.S. Patent No. 4,530,779. However, and has been previously made of record, it is Applicants contention that Mayama does not appear to disclose, as recited in claim 25, that substantially all of a plurality of fibers comprising electrically conductive metal coated carbon fibers are coated to form preimpregnated fibers. Rather, at col. 2, ll. 58-65 of Mayama it is disclosed that a titanate coupling agent is coated onto the surface of a fiber bundle, there being no teaching that the coating is capable of penetrating the bundle to coat substantially all of the individual fibers thereof. [See also col. 4, ll. 24-26, "One or more bundles 2a of a long fibrous conductive filler 2 are passed through a titanate coupling agent solution 11 for surface treatment."; and col. 2, l. 66, bridging col. 3, l. 2, "As shown in Fig. 2, a titanate coupling layer 3 is formed on the outer surface of a bundle 2a of fibrous conductive filler strands and a synthetic resin layer 1 is formed therearound."]

The Examiner has responded that "[t]his process [of Mayama] must inherently apply 'a composition ... in an amount sufficient to coat substantially all of a plurality of fibers.' " (*emphasis original*). However, and as is reprinted below, Fig. 2 of Mayama plainly shows a structure wherein a titanate coupling layer 3 is formed on the outer surface of a bundle 2a of fibrous conductive filler strands.



As to why the process of Mayama does not produce a product wherein substantially all of a plurality of fibers are coated, it may be speculated that the viscosity of the titanate coupling layer which is applied in Mayama may be sufficiently high to delimit penetration into the bundle, and/or the packing or porosity of the bundle itself is sufficiently lower so as to similarly delimit such penetration.

In any event, the product of Mayama is clearly portrayed in the drawings as not having substantially all of a plurality of fibers being coated. Although Applicants are unaware as to the

basis on which the Examiner has concluded that the claim language “ ‘[to] coat substantially [all] ...’ merely requires more than 50% .. being coated,” it does not appear that any of the fibers 2a of Mayama are actually individually coated with the layer 3.

Applicants therefore believe that they have met their burden to prove that the Mayama bundle does not necessarily or inherently possess the claimed feature of substantially all of a plurality of fibers comprising electrically conductive metal coated carbon fibers are coated to form preimpregnated fibers. Accordingly, Applicants maintain that claim 25 should be considered novel over Mayama.

Claims 1-3 [*sic*], 6-20 [*sic*], 25-26 [*sic*], and 29-35 now stand rejected under 35 USC § 103(a) as being unpatentable over WO 98/06551, in view of the newly-cited Bonazza reference, U.S. Patent No. 5,089,326; the newly-applied Kogusa reference, U.S. Pat. No. 4,960,642, and Devanathan, U.S. Patent No. 4,978,360, or Mayama *et al.*

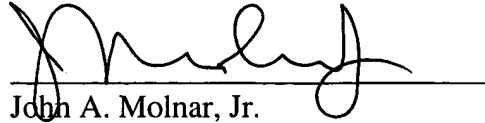
Applicants maintain that the rejected claims, which are believed to be claims 1-35, should be considered allowable for the reasons previously made of record. Further as to the Examiner's arguments in respect of the newly-cited Bonazza reference, the Examiner has cited such reference as teaching the use of metal coated carbon fibers in making a fiber-reinforced composite having good mechanical properties and convenient possibility. However, the Bonazza reference appears to be inapposite as directed to conductive fiber layers or plies which are laminated onto a support. [See Bonazza, at col. 3, l. 61, bridging col. 4, l. 13]. In this regard, the, the reference actually appears to teach against the use of metal coated carbon fibers for improving mechanical properties as the Examiner has suggested. In any event, it is believed that the use of such fibers in plies which are laminated onto a support would not have motivated one of ordinary to use such fibers to make a pellet for injection molding as recited in independent claims 1, 21, and 25.

Lastly, claims 1-9, 11-20, and 26-35 continue to stand rejected under 35 USC § 103(a) as being unpatentable over Mayama in view of the WO reference. As previously made of record, Mayama is directed to a process wherein a titanate coupling agent is coated onto the surface of a bundle of fibers, whereas the WO reference is directed to a process wherein a coating is made to coat substantially all of the fibers in the bundle. There thus appears no reason, save for a hindsight reconstruction of the claimed invention, why one of ordinary skill in the art would have been motivated to substitute the WO process for that of Mayama. Accordingly, it again is submitted that claims 1-9, 11-20, and 26-35 should be considered to properly distinguish over the art made of record.

In view of the foregoing remarks, wherein the claim program has been shown to define the claimed invention as being patentable over art made of record, the issuance of a Notice of Allowance is earnestly solicited. If an allowance of the claims is not forthcoming, please enter this amendment for purposes of appeal.

Appl. No. Serial No. 09/943,677
Amdt. dated May 6, 2004
Reply to Office action of February 6, 2004

Respectfully submitted,



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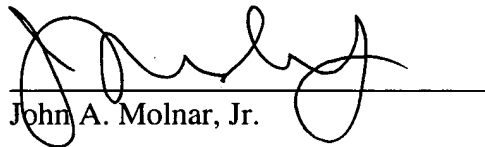
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited on May 6, 2004, with the United Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



John A. Molnar, Jr.